

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RONALD JORDAN,

Plaintiff,

File No. 2:08-CV-261

v.

HON. ROBERT HOLMES BELL

PATRICIA CARUSO, et. al,

Defendants.

ORDER

For the reasons stated in the opinion entered this date,

IT IS HEREBY ORDERED THAT the Report and Recommendation of the Magistrate Judge (Dkt. No. 103) is **APPROVED IN PART**, and **REJECTED IN PART** with respect to the disposition of the pending motions.

IT IS FURTHER ORDERED THAT Plaintiff's motion to amend the complaint (Dkt. No. 74) is **GRANTED**. The proposed amended complaint (Dkt. No. 74, Attach. 1) is allowed. Laura Heinritz, Peggy Carberry, and Bradley Haynie are added as parties to this case (Count IV).

IT IS FURTHER ORDERED THAT Plaintiff's motion for partial summary judgment (Dkt. No 88) is **DENIED**.

IT IS FURTHER ORDERED THAT the motion for summary judgment filed by Defendant Lynne Phillipson (Dkt. No. 97) is **GRANTED**, and the motion for summary judgment filed by the other Defendants (Dkt. No. 67) is **GRANTED IN PART** and **DENIED IN PART**, as follows:

With respect to the group-worship claim in Count I of the amended complaint:

- Defendant Patricia Caruso is **DISMISSED WITH PREJUDICE**.
- **PARTIAL JUDGMENT** is awarded in favor of the remaining Defendants (David Bergh and Gerald Riley).

With respect the Sabbath-work claim in Count I of the amended complaint:

- Defendant Caruso is **DISMISSED WITH PREJUDICE**.
- Defendants Schroeder and Bergh remain as parties.

Count II of the amended complaint is **DISMISSED WITH PREJUDICE**.

Count IIA of the amended complaint is **DISMISSED WITH PREJUDICE**.

With respect to Count III of the amended complaint:

- Defendant Caruso is **DISMISSED WITH PREJUDICE**.
- **PARTIAL JUDGMENT** is awarded in favor of the remaining Defendants (Debra Olger, Denver McBurney, and Jeffrey Contreras).

With respect to Count IV of the amended complaint:

- Defendant Caruso is **DISMISSED WITH PREJUDICE**.

- **PARTIAL JUDGMENT** is awarded in favor of Defendants Ann Barsch, James Alexander, and Lynne Phillipson.
- Defendants Denver McBurney, Scott Schooley, Christopher Crysler, and Cherie Konrad are **DISMISSED WITHOUT PREJUDICE**.
- **PARTIAL JUDGMENT** is awarded in favor of all Defendants with respect to Plaintiff's claim that Defendants engaged in a conspiracy to discriminate against him.
- Defendants Govern, Niemi, Laitinen, and Niemisto remain as parties to Count IV, in addition to the newly-added parties, Heinritz, Haynie, and Carberry.

Dated: August 10, 2010

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE